

Application No. 10/517,837
Amendment dated February 2, 2006
Reply to Office Action of November 2, 2005

Docket No.: 3629-0107PUS1

AMENDMENTS TO THE DRAWINGS

In the attached sheets of drawings, the legend “Conventional Art” has been added to Figures 10 and 11.

Attachment: Replacement sheets

REMARKS

Claims 2-15 are pending in the above application. By the above amendment, claim 1 has been cancelled and claims 4-15 have been added.

The Office Action dated November 2, 2005, has been received and carefully reviewed. In that Office Action, claims 1-3 were rejected under 35 U.S.C. 102(b) as being anticipated by Sato. By above amendment, claim 2 has been rewritten in independent form, and claim 1 has been cancelled. It is believed that claims 2-15 are allowable over Sato and the other references of record, and reconsideration and allowance of claims 2 and 3 and examination and allowance of claims 4-15 is respectfully requested.

Claim 2 was rejected under 35 U.S.C. 102(b) as being anticipated by Sato. Claim 2 requires a pinching mechanism that includes a coupling member, a clip member and a sliding member sliding independently from the coupling member arranged so that the clip member pinches a wire when the sliding member slides in one direction and releases the wire when the sliding member slides in the other direction. With reference to Figure 5 of Sato, Sato does not show a clip member, a coupling member and a sliding member as claimed. Instead, Sato shows a pressing plate 11 that holds one end of a wire when it is locked inside slider 6. If pressing plate 11 of Sato is interpreted to be a clip member, Sato does not show a coupling member and does not anticipate claim 2. If pressing plate 11 of Sato is interpreted to be a coupling member, Sato does not show a clip member as claimed and does not anticipate claim 2. Claim 2 is submitted to be allowable over Sato for at least this reason.

Claim 3 depends from claim 2 and is submitted to be allowable for the same reasons as claim 2. In addition, claim 3 requires that the pinching mechanism be rotatably built in the main body. Nothing in Sato suggests that elements 11 or 6 rotate with respect to body 5. Claim 3 further distinguishes over Sato for this reason.

New claim 4 is also submitted to be allowable over the references of record. Claim 4 requires, *inter alia*, a pinching mechanism in a main body slidably retained on an operating member. Pressing plate 11 and slider 6 of Sato are fixed relative to one another and slider 6 is fixedly retained on pressing plate 11. Claim 4 is submitted to be allowable for at least this reason.

Claims 5-10 depend from claim 4 and are submitted to be allowable for at least the same reasons as claim 4.

Claim 5 requires that the operating member include an operating member body having a centerline and an end and that the pinching mechanism comprises a clip member having a first portion overlying and connected to the operating member body and a second portion biased away from the centerline. Claim 6 requires the second portion extend beyond the operating member body end. Claims 5 and 6 further distinguish over Sato for this reason.

Claim 11 is also submitted to be allowable over Sato. Claim 11 requires a remote controlled medical instrument that includes a tube adapted to be inserted into a body and having a first end and a second end, a wire extending through said tube and including a first end attached to a functional member at the tube first end and an attachment portion extending from the tube second end, and a remote control section connected to the tube second end for controlling the functional member from outside the body comprising a main body having a hollow inside. The instrument also includes an operating member, longitudinally slidably coupled to the main body and comprising an operating member body having an end, first and second clips each having a first portion overlaying and connected to the operating member body and a second portion extending beyond the end of the operating member body, the second portions being biased away from each other, and a sliding member retained on the operating member body and slidably shiftable between a first position pressing the second portions toward each other and a second position allowing the second portions to separate from each other. This arrangement is not shown or suggested by Sato, and claim 11 is submitted to be allowable over Sato for these reasons.

Claims 12-15 depend from claim 11 and are submitted to be allowable for the same reasons as claim 11.

CONCLUSION

Each issue raised in the Office Action dated November 2, 2005, has been addressed, and it is believed that claims 2-15 are in condition for allowance. Wherefore, reconsideration and allowance of claims 2 and 3 and examination and allowance of claims 4-15 is earnestly solicited.

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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 2, 2006

Respectfully submitted,

By 

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Attachments